



# Infill Development

Handout #46 Revised 2/18/03

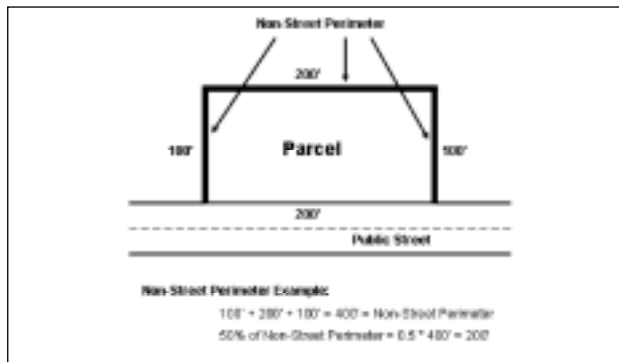
## What is infill development?

Infill development refers to the development of parcels within urban growth area that have been passed by when the area was originally developed. The county's infill ordinance applies to parcels in the R1-5, R1-6 and R1-7.5 zoning districts. The ordinance provides incentives to develop these parcels and increases public notice to help ensure neighborhood compatibility.

## How do I know if a lot is eligible for infill development?

There are 5 criteria that must be met before any development plan can be reviewed under the infill standards which include:

- The parcel/lots were created by a legal land division prior to October 1, 2002;
- The parcel is located within the R1-5, R1-6 or R1-7.5 zones;
- The parcel is 2.5 acres in size or smaller;\*
- The parcel can and will be served by urban services (i.e., water and sewer services); and,
- Urban development abuts the parcel/subject site on at least 50% of its non-public street perimeter (i.e., private street frontages are not considered part of the non-street perimeter).



\*Note: In existing subdivisions recorded after 12/31/61, if contiguous lots are developed with existing dwellings, the gross size of the parent parcel must be at least 20,000 square feet in size.

## What are the incentives to encourage infill development?

The infill incentives are divided into Tier 1 and Tier 2 options. Tier 2 offers greater incentives than Tier 1. However, under Tier 2, a neighborhood/developer meeting is required and in some cases a larger rear yard setback are required.

### Tier 1 and 2 incentives and requirements:

#### 1. Reduced roadway widths:

- Under "Infill A," public or private roadways shall be 20 feet wide within a minimum 25-foot easement used to serve up to eight (8) lots. Parking is not allowed.

- Under “Infill B,” private roadway shall be 12 foot-wide within a minimum 20-foot private easement for a maximum of 150 feet in length, used to serve a maximum four 4 lots. Parking is not allowed.
- Road modifications may be considered (without fees) for the following:
  - Partial or full frontage improvements, if consistent with existing or anticipated neighborhood roadways (i.e., non-arterial and non-collector roadways providing access to and located within 800 feet of the infill development) and,
  - Access spacing if there is no identifiable safety hazard.

2. Stormwater and erosion control:

Infill projects that create less than 5,000 s.f. of new impervious surface are exempt from the stormwater requirements. Also, the director may approve use of alternative water quantity and/or water quality treatment devices for infill development if evidence is provided from the applicant that water quality, water quantity control, and maintainability are not affected.

Note: Infill developments are ineligible to use the Density Transfer provisions under CCC 18.411.015(B)(2).

Tier 1 incentives and requirements:

1. Parcel area averaging with minimum lot sizes for single-family as follows:
  - R1-5 = 4,000s.f.
  - R1-6 = 4,500s.f.
  - R1-7.5 = 6,000s.f.
  - However, the overall density and parcel size of the zoning district (e.g., 5,000 s.f. in the R1-5) must still be met.
2. No minimum parcel width or depth;
3. Reduced setbacks:
  - Minimum Front Yard Setback: 18 feet for garage or carport and 10 feet for all other structures;
  - Minimum Side Yard: Where vehicular access is through side yard, 18 feet; other uses same as zoning district.
  - Minimum Rear Yard: Where vehicular access is through a rear yard, 18 feet for garage or carport, and all other uses shall comply with rear setback of the zone.

Tier 2 incentives and requirements:

1. Parcel area averaging with minimum lot sizes for detached single-family as follows:
  - R1-5 = 4,000s.f./10.9 dwelling units/acre
  - R1-6 = 4,500s.f./9.7 dwelling units/acre
  - R1-7 = 6,000 s.f./7.3 dwelling units/acre
2. Maximum Lot Coverage Increased to 60%
3. Reduced setbacks:
  - Minimum Front Yard Setback: 18 feet for garage or carport and 10 feet for all other structures;
  - Minimum Side Yard: Where vehicular access is through side yard, 18 feet;
  - Minimum Rear Yard: Where vehicular access is through rear yard, 18 feet. Ten feet for all other structures where rear yard of the proposed infill development abuts parcels with existing single family dwellings, otherwise, all other structures shall comply with rear setback of zone.

4. Additional Type of Dwellings are allowed to include duplexes and attached single family dwellings under the following conditions:

Duplexes:

- Sites of 3 or fewer parcels may have a duplex on 1 lot;
- Sites of more than 3 lots may have duplexes on a maximum of 1/3 of parcels; and,
- Minimum lot sizes for duplexes are as follows:
  - R1-5 = 6,000s.f.
  - R1-6 = 8,000s.f.
  - R1-7.5 = 10,000s.f.
- Smallest parcel area shall be no smaller than the minimum lot size for duplexes listed above.

Attached Single-Family Dwellings:

- Maximum of 4 consecutively attached units;
- Submission of an infill development plan (IDP)
- Minimum/maximum averaging of parcel sizes allowed for attached single family lots if smallest parcel area is no smaller than:
  - R1-5 = 3,000s.f.
  - R1-6 = 4,000s.f.
  - R1-7.5 = 5,000s.f.

(Note: Minimum parcel sizes may not be reduced through a variance procedure)

5. Alley access for single-family attached dwellings (4 or more) must have its primary vehicle access from a rear alley if a public alley exists within or adjacent to the land division.
6. Pedestrian pathways shall be provided between building breaks in attached single-family infill projects to provide pedestrian connectivity.
7. A Home Owner's Association or other legal entity shall maintain common areas.
8. Duplexes and attached single-family attached units shall utilize at least 4 of the following design features:
  - (a) dormers
  - (b) recessed entries
  - (c) cupolas
  - (d) bay or bow windows
  - (e) attached garage
  - (f) window shutters
  - (g) a roof with a pitch greater than nominal 8:12
  - (h) off-sets on building face or roof (minimum 12")
  - (i) gables
  - (j) covered porch or entry with pillars or posts
  - (k) eaves (minimum 6")
  - (l) tile or shake roof
  - (m) horizontal lap, shingle, shake, brick or stone masonry siding. Lap siding, shingles, and shakes shall be exposed a maximum of 6 inches to the weather. Brick, or stone masonry when used as a veneer material must be at least 2 ½ inches thick.
  - (n) garage set at least 10 feet behind the front face of the primary dwelling unit.

- (o) exterior window trim that is a minimum of 4 inches in width.
- (p) other design features which reflect the architectural character of residences within 500 feet of the proposed development.

### **What is the infill application and review process?**

Applications for infill developments must be submitted in conjunction with the associated land division application (see Information Handout #38 Short Plat or #39 Subdivision for review process). For Tier 2, single family attached infill development, an "Infill Development Plan" must be submitted (see attached "Infill Submittal Requirements" list).

Infill development applications submitted with a land division require a pre-application conference. The requirement for a conference may not be waived. At least 15 days prior to the pre-application conference, public notice of the conference is sent to:

- Applicant,
- Neighborhood association; and,
- Residents and property owners within 300 feet of the project site.

Unlike other pre-application conferences where the public is allowed to attend but not comment, public comments may be presented during a specified public comment period when infill developments are proposed.

For Tier 2 infill projects, the applicant must hold a public meeting to offer affected property owners the opportunity to participate in the development design process. A pre-application conference is not a substitute for the neighborhood meeting. The applicant must meet the following neighborhood meeting guidelines:

- Neighborhood meeting must be held no earlier than 90 days prior to submittal of the infill application;
- Notice of the meeting (to include date, time and place, and brief description of proposed development)) must be sent at least 15 days prior to the meeting to:
  - County-recognized neighborhood association representative of the area;
  - Residents and property owners within 500 feet of the project site; and,
  - Clark County Community Development designee.

Decisions on infill short plat applications are made administratively within 78 days of the application being determined fully complete. Decisions on infill subdivision applications are made by a Hearing Examiner, and require that a public hearing be held. The hearing is held within 78 days and a decision normally issued within 92 days of the application being determined fully complete.

### **What if the applicant didn't submit all of the required information?**

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting the application, the Customer Service staff will conduct a "**Counter Complete**" review of the submittal package. This initial review ensures that **all items with a bold underlined space** listed within the subdivision submittal requirements have been submitted before accepting your application (see attached submittal list). These include:

1. Letters of Certification
2. Copy of Neighborhood Meeting Summary

3. Proposed Infill Development Plan (only for attached single family development in Tier 2)
4. Submittal Copies

- Once the application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the “**Fully Complete**” review. This more detailed review ensures that **all items with a box to the left** listed under the numbered headings of the attached “Infill Submittal Requirements,” have been submitted. As an example, does the “Proposed Infill Plan” show: “Layout of proposed structures including square feet;” and “Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code,” etc.?

If required items are missing from the original submittal, the applicant will receive a letter of “**Not Fully Complete**,” with a list of the missing items. If the applicant has not submitted the requested information within 30 days of this written request, staff will return the application and refund the application fee, less the processing costs incurred to date.

If **all** of the submittal requirements have been met, the applicant will be directed to submit five (5) additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, the applicant will receive a “Fully Complete” determination letter and be vested on the date the Fully Complete application was submitted.

### **What is Vesting?**

Upon a determination of Fully Complete, the application is vested with the development regulations that are in place at the time the fully complete application was submitted.

### Examples:

- 1) An application is submitted on June 1<sup>st</sup> and determined to be “Fully Complete” on June 25<sup>th</sup>. The application is vested as of June 1<sup>st</sup>.
- 2) An application is submitted on June 1<sup>st</sup> and subsequently determined to be “**Not Fully Complete**” on June 25<sup>th</sup>. In response, the applicant submits additional information on July 8<sup>th</sup>. The revised application is subsequently determined to be “Fully Complete” on July 18<sup>th</sup> (Note: the completeness decision will be made within 14 calendar days of new submittals). The application is vested as of July 8<sup>th</sup>, the day the fully complete application was submitted.

To be vested on the date a pre-application is filed (i.e., contingently vested), the following conditions must be met:

- 1) All the required pre-application conference information was submitted on the pre-application submittal date (Note: the Pre-Application Conference Report will indicate whether the application is contingently vested); and,
- 2) A fully complete application for substantially the same proposal was filed within 180 calendar days of the date the County issued the Pre-Application Conference Report.

### **What kind of public notice is provided?**

In additions to the pre-application conference and neighborhood meeting notice requirements, the infill short plat (Type II Review) and infill subdivision (Type III Review) also have public notice provisions. Within 15 calendar days of a fully complete determination, notice of the application is mailed to:

- Property owners within a 300' radius of the project site, and

- Applicant.

For Type III reviews (that require a public hearing to be held), at least 15 calendar days prior to the public hearing date, a notice including the date, time and place of the hearing and a description of the proposal will be:

- Posted at the site,
- Published in the newspaper,
- Mailed to property owners within a 300' radius (if within an urban growth boundary), or a 500' radius (if outside an urban growth boundary) of the project site, and
- Mailed to the applicant.

The notice will invite interested parties to present testimony at the hearing either orally or in writing.

### **What is a SEPA determination?**

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed subdivision be conducted. County staff and interested agencies will review the subdivision application to determine its compliance with applicable Federal, State and County Code. Through this process a determination will be made as to whether the impacts will be considered non-significance (DNS), mitigated non-significance (MDNS), or significance (DS). For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report referenced below. If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the County considering the proposed subdivision. The SEPA determination is published in the Columbian Newspaper.

### **What is a Staff Report?**

Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code (CCC). In this report, staff will make a decision (Type II review) or recommendation (Type III review) to approve, approve with conditions or deny the application. For Type II reviews, this written report/decision will be mailed to the applicant and any parties of record within 78 days of the fully complete date. For Type III reviews, this written report/recommendation will be mailed to the applicant at least 14 calendar days prior to the scheduled public hearing on this matter.

### **What happens at the public hearing and when do I get to speak?**

First, the applicant or their representative will be asked to present an overview of the proposed project to the audience, including those viewing the hearing over CVTV cable access television. The applicant will next give a detailed description of the project and design considerations, showing the site plan and other drawings by either utilizing the overhead projector or making pre-meeting arrangements to use the Power Point projector.

Once the overview is completed, the applicant may next raise issues regarding the staff report and recommendations. This is also the time for the applicant to address issues that they believe may be brought up during the public testimony portion of the hearing, and/or issues they believe the Hearings Examiner may raise.

Once the applicant has completed their presentation, county staff will present an overview of their analysis, findings and recommendation as to whether the application meets or exceeds the approval criteria.

Following the staff presentation, the hearing will be open to the general public for their testimony.

Once all the public testimony has been presented, the applicant will have the opportunity to provide rebuttal testimony.

The Hearing Examiner will next close the public hearing.

**When will a decision be made on the application?**

As noted above, a Type II review decision will be issued within 78 days of the fully complete date. For Type II reviews, the Hearing Examiner will issue a written decision regarding the application within 14 calendar days after the date the record closes. Within 7 calendar days of its issuance, the decision will be mailed to the applicant, other parties of record (i.e., someone who presented written or verbal testimony, or signed the hearing sign-in sheet on the specific application) and the neighborhood associations.

**Can the decision be appealed?**

A Type II decision may be appealed to the Hearing Examiner and a Type III decision (i.e., decision by the Hearing Examiner) may be appealed to the Board of County Commissioners by the applicant or a party of record. An appellant must submit an appeal application and appeal fee (**Type II appeal fee = \$1009; Type III appeal fee = \$263**) within 14 calendar days after the decision is mailed.

**Note:** This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code Section 18.406.020(Q)

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**

# DEVELOPMENT REVIEW

## TIER 2 INFILL SINGLE FAMILY ATTACHED

### DEVELOPMENT APPLICATION

### SUBMITTAL REQUIREMENTS

The following checklist identifies information to be included with the Application. All items with a bold underlined space (i.e., **\_\_\_**) must be submitted before the application will be considered “**Counter Complete.**” All items with a box to the left must be submitted before the application will be determined “**Fully Complete.**” All bulleted items must be submitted, as applicable, but are not a “Fully Complete” requirement. **(Note: The Pre-Application Conference Report will indicate any additional/exempted submittal requirements).**

At the time of application, only **one copy of the main submittal** with original signatures, **shall be submitted and bound by a jumbo clip or rubber band.** One copy of any **special studies** (e.g., wetland, floodplain, etc) **shall also be submitted but bound separately.**

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

#### 1. **\_\_\_ LETTERS OF CERTIFICATION**

Letters of certification for the following:

- ☐ Notice of neighborhood meeting and mailing list of residents and land owners within 300 feet of the development site; and,
- ☐ Mailing of neighborhood meeting summary.

#### 2. **\_\_\_ COPY OF NEIGHBORHOOD MEETING SUMMARY**

#### 3. **\_\_\_ PROPOSED INFILL DEVELOPMENT PLAN –For attached single family developments only.**

In addition to any associated land division or site plan, the following shall be provided on the Infill Development Plan for development of attached single family homes:

##### **Land Use and Transportation**

- ☐ Layout of proposed structures including square feet;
- ☐ Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code;
- ☐ Location, dimensions and number of off-street parking and loading areas; and,
- ☐ Location and dimensions of recyclable and solid waste storage areas.

##### **Landscaping**

- ☐ Landscape plan for urban area arterial and collector roadways and on site landscaped areas to include:
  - Location, number, species, size at planting, and spacing of proposed plant material;
  - Location, number, species and size of existing landscape material to be removed and/or retained;



- Location, type (such as sod, groundcover or shrub mass) and area (in terms of square feet and percentage of site) of all soft landscaped areas and buffers;
- Location, height and materials of fences, buffers, berms, walls and other methods of screening;
- Surface water management features integrated with landscape, recreation or open space areas;
- Location, size and construction type of hard landscaping features such as pedestrian plazas; and,
- Active and passive recreational or open space features.

#### 4. SUBMITTAL COPIES:

- \_\_\_\_ One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures; and,
- \_\_\_\_ One copy of any special studies (e.g., wetland, floodplain, etc) and bound separately.

When all required information is submitted with the original application, the applicant will be directed to submit five (5) additional individually bound copies of the main submittal, including copies of the "Developer's GIS Packet". The applicant will also be directed to submit additional individually bound copies of any special studies as identified below. These copies must contain any revisions or additional information required in the Fully Complete review, and be bound using jumbo clips, stapled, comb or spiral binding, etc.

Copies of any special studies (as identified within the "Pre-Application Report") as following:

- ☐ 1 original and 3 copies – Archeological Pre-Determination Report
- ☐ 1 original - Archeological Study
- ☐ 1 original and 3 copies - Traffic Study and Road Modification requests
- ☐ 1 original and 2 copies of all other special studies or permits to include: Critical Aquifer Recharge Areas (CARA) floodplain, geo-hazard, habitat, shoreline, stormwater, erosion control plan, and wetland).
- ☐ 2 reduced copies of 11" x 17" for all sheets larger than 11" x 17."

#### Staff Notes:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

This application was determined to be Counter Complete on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Community Development Specialist: \_\_\_\_\_

<b>INFILL PLAN REVIEW FEE SCHEDULE</b>
--

<u><b>TIER 1</b></u>	<b>\$0</b>
----------------------	------------

<u><b>TIER 2</b></u>	<b>\$0</b>
----------------------	------------

# DEVELOPMENT REVIEW APPLICATION FORM

(Form DS1400-Revised 2/19/02)



<b>PROJECT NAME:</b>		
<b>TYPE(S) OF APPLICATION (See Reverse Side):</b>		
<b>DESCRIPTION OF PROPOSAL:</b>		
<b>APPLICANT NAME:</b>	Address:	
E-mail Address:	Phone and Fax:	
<b>PROPERTY OWNER NAME</b> (list multiple owners on a separate sheet):	Address:	
E-mail Address:	Phone and Fax:	
<b>CONTACT PERSON NAME</b> (list if not same as APPLICANT):	Address:	
E-mail Address:	Phone and Fax:	
<b>PROJECT SITE INFORMATION:</b> Site Address:		Comp Plan Designation:
Cross Street:	Zoning:	Serial #'s of Parcels:
Overlay Zones:	Legal:	Acreage of Original Parcels:
Township:	Range:	¼ of Section:

## AUTHORIZATION

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature

Date

<b>Assigned at Customer Service Center</b>	<b>CASE NUMBER:</b>	
	<b>WORK ORDER NUMBER:</b>	

## **APPLICATION TYPES**

If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

- ☐ Annual Review
- ☐ Appeal
- ☐ Boundary Line Adjustment and Lot Reconfiguration
- ☐ Conditional Use

### **Environmental/Critical Areas:**

- ☐ Archaeological
- ☐ Critical Aquifer Recharge Area (CARA)
- ☐ Columbia River Gorge
- ☐ Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- ☐ Floodplain
- ☐ Geological
- ☐ Habitat
- ☐ Historic
- ☐ SEPA
- ☐ Shoreline
- ☐ Wetland

### **Land Division:**

- ☐ Binding Site Plan
- ☐ Final Plat
- ☐ Plat Alteration
- ☐ Short Plat
- ☐ Subdivision

### **Miscellaneous:**

- ☐ Addressing
- ☐ Accessory Dwelling
- ☐ Covenant Release
- ☐ Garden Shed Setback Waiver
- ☐ Home Occupation
- ☐ Legal Lot Determination & Innocent Purchasers Determination
- ☐ Non-Conforming Use Determination
- ☐ Reconstruct Letter
- ☐ Sewer Waiver
- ☐ Shooting Range
- ☐ Sign

### **Planning Director Review:**

- ☐ Post Decision
- ☐ Pre-Application Conference
- ☐ Pre-Application Waiver
- ☐ Public Interest Exception
- ☐ Similar Use
- ☐ Temporary Use
- ☐ Other

- ☐ Planned Unit Develop/Master Plan
- ☐ Road Modification
- ☐ Site Plan
- ☐ Variance
- ☐ Zone Change